

REMARKS/ARGUMENTS

In response to the Office Action dated June 21, 2004, claims 1 and 3-15 are amended. Claims 1-15 are now active in this application. No new matter has been added.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

Claims 7 and 9-11 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In support of this position, the Examiner identifies several phrases that are deemed confusing and/or lack clear antecedent basis. By this response, each of the noted points of indefiniteness has been appropriately addressed, including the minor objection by the Examiner regarding the grammar of claim 1. Specifically, non-sequiturs are eliminated and confusing and/or vague language deleted in favor of language believed to recite the invention with the degree of precision and particularity required by the statute. Therefore, it is respectfully urged that the rejection be withdrawn.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 102 AND § 103

I. Claims 8-11, 14 and 15 are rejected under 35 U.S.C. § 102(e) as being anticipated by Parulski et al. (USPN 6,573,927).

The rejection of claims 10, 11 and 15 is respectfully traversed.

To expedite prosecution, independent claim 8 is amended to delineate:

a reading device for reading the image data and an information associated with said image data including a kind of an object in the image data and an object area data in which the object is arranged within the image data; and
a photographic image corrector for correcting the image data based on the information,

wherein the photographic image corrector corrects the image data in the object area in which the object is arranged by using a specific correction parameter corresponding to the object that is arranged in the object area

Independent claim 14 is similar amended.

The Examiner maintains that Parulski et al. discloses reading the image data (i.e., captured picture), as well as an information having a kind of an object in the image data (e.g. Appendix 1; “%Album heading: ~Vacation images ~). However, neither “Album heading” nor “Vacation images” are *a kind of an object in a specific image data*. More specifically, “Album heading” and “Vacation images” refer to subject matter for grouping images, not *a kind of an object in a specific image data*.

The Examiner refers to Column 5, lines 46-48 of Parulski et al. as disclosing the claimed image corrector. This portion describes that a user may decide to crop and rotate the image *according to the template*. However, it is submitted that there is nothing in Parulski et al. regarding using a specific correction parameter corresponding to the object that is arranged in the object area data, as now required by independent claims 8 and 14. Consequently, independent claims 8 and 14, as well as dependent claim 9, as amended, are patentable over Parulski et al.

With respect to claims 10, 11 and 15, neither Parulski et al.’s “Album heading” nor “Vacation images” are *a kind of an object in the image data*, as recited in independent claims 10 and 15 also. Consequently, independent claims 10 and 15, as well as dependent claim 11, are patentable over Parulski et al. It should be noted that independent claims 10 and 15 are amended to improve form and not to change the scope thereof. Dependent claim 11 is amended similar to that of claim 9.

I. Claims 1-7, 12 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Parulski et al. in view of Iijima et al. (USPN 6,621,524).

To expedite prosecution, independent claim 1 is amended to delineate:

a memory for storing image data of a plurality of frames representing an ideal region of an object within an image, each frame corresponding to a type of object and including data representing an area corresponding to said ideal region;

...

a recording device for recording on a recording medium, different from said memory, specific information corresponding to the selected frame and the image data captured by the image capture device associated with each other, said specific information including (i) the type of the object corresponding to the selected frame and (ii) said data representing an area corresponding to said ideal region for the selected frame.

Independent claims 12 and 13 are similarly amended. The features now recited in amended independent claims 1, 12 and 13 are not disclosed or suggested in Parulski et al. or Iijima et al., considered alone or combination.

The Examiner maintains that Parulski et al. discloses memory 36 as storing a plurality of frames representing an ideal region of an object within an image with different frames corresponding to different object types, for example, a “Happy Birthday” frame would correspond to a picture of a birthday party. However, “Happy Birthday” is not a type of object within an image, but refers to a subject matter of the image data.

It is noted also that the Examiner interprets the memory and the recording device to be removable memory card 36 of FIG. 1 of Parulski et al. Amended independent claims 1, 12 and 13 clarify that the recording device is different from the memory for storing image data of a plurality of frames.

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Thus, the allowance of claims 1-7, 12 and 13, as amended, is respectfully solicited.

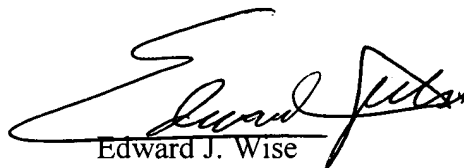
CONCLUSION

Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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